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## NOTICE OF ALLOWANCE AND FEE(S) DUE

45993 7590 01/14/2011

IBM CORPORATION (RHF)  
C/O ROBERT H. FRANTZ  
P. O. BOX 23324  
OKLAHOMA CITY, OK 73123

EXAMINER	
GRAHAM, CLEMENT B	
ART UNIT	PAPER NUMBER
3691	
DATE MAILED: 01/14/2011	

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,009	11/29/2000	Leland James Wiesehuegel	AUS9-2000-0738-US1	9657

TITLE OF INVENTION: SYSTEM AND METHOD FOR ONLINE OFFER AND BID MANAGEMENT WITH SEALED BIDS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	04/14/2011

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

**HOW TO REPLY TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

45993      7590      01/14/2011

**IBM CORPORATION (RHF)**  
C/O ROBERT H. FRANTZ  
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OKLAHOMA CITY, OK 73123

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

### **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,009	11/29/2000	Leland James Wiesehuegel	AUS9-2000-0738-US1	9657

TITLE OF INVENTION: SYSTEM AND METHOD FOR ONLINE OFFER AND BID MANAGEMENT WITH SEALED BIDS

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	04/14/2011
EXAMINER	ART UNIT	CLASS-SUBCLASS				
GRAHAM, CLEMENT B	3691	705-037000				

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

4a. The following fee(s) are submitted:

- Issue Fee  
 Publication Fee (No small entity discount permitted)  
 Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- A check is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Date \_\_\_\_\_

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Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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IBM CORPORATION (RHF)				GRAHAM, CLEMENT B
C/O ROBERT H. FRANTZ				ART UNIT
P. O. BOX 23324				PAPER NUMBER
OKLAHOMA CITY, OK 73123				3691
DATE MAILED: 01/14/2011				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 955 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 955 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/726,009	WIESEHUEGEL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Clement B. Graham	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 3/10/2010.
2.  The allowed claim(s) is/are 13 and 15-31.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All      b)  Some\*      c)  None      of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 11/29/10, 11/19/10
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

/Hani M. Kazimi/  
Primary Examiner, Art Unit 3691

## ALLOWANCE

1. Claims 13, 15-31 are allowable over the art of record.
2. The following is a statement of reasons for indication of allowable subject matter. The prior art fails to teach, or suggest, the limitations of:

"(A sealed bid sales offering system comprising:

a bid database in a network computer arrangement containing collected bids, said collected bids each having an associated seal status indication field for indicating whether each bid is a sealed bid or is an unsealed bid, a database query server querying said bid database for unsealed bids which match parameters of a Broker Profile Matrix associated with a trader console, said trader console comprising an intermediary third party user console communicably disposed between a bidder user console and broker user console, said trader console operating to buy products or services from said broker user console, and operating to resell said bought products and services to said bidder user console;

a bid transferor responsive to finding matching unsealed bids for said trader console delivering said matching unsealed bids to said trader console, and preventing delivery of sealed bids to said trader console and a display on said trader console of said delivered matching unsealed bids to a trader console user ) as recited in the instant claims.

**Miller et al (US Patent No: 5, 640, 569)** taken alone or in combination with others fail to teach or suggest "A sealed bid sales offering system comprising:

a bid database in a network computer arrangement containing collected bids, said collected bids each having an associated seal status indication field for indicating whether each bid is a sealed bid or is an unsealed bid, a database query server querying said bid database for unsealed bids which match parameters of a Broker Profile Matrix associated with a trader console, said trader console comprising an intermediary third party user console communicably disposed between a bidder user console and

broker user console, said trader console operating to buy products or services from said broker user console, and operating to resell said bought products and services to said bidder user console; a bid transferor responsive to finding matching unsealed bids for said trader console delivering said matching unsealed bids to said trader console, and preventing delivery of sealed bids to said trader console and a display on said trader console of said delivered matching unsealed bids to a trader console user” as recited in the instant claims.

**Goldberg et al (US Patent No: 6, 985, 885)** taken alone or in combination fail to teach or suggest” A sealed bid sales offering system comprising:

a bid database in a network computer arrangement containing collected bids, said collected bids each having an associated seal status indication field for indicating whether each bid is a sealed bid or is an unsealed bid, a database query server querying said bid database for unsealed bids which match parameters of a Broker Profile Matrix associated with a trader console, said trader console comprising an intermediary third party user console communicably disposed between a bidder user console and broker user console, said trader console operating to buy products or services from said broker user console, and operating to resell said bought products and services to said bidder user console; a bid transferor responsive to finding matching unsealed bids for said trader console delivering said matching unsealed bids to said trader console, and preventing delivery of sealed bids to said trader console and a display on said trader console of said delivered matching unsealed bids to a trader console user “ as recited in the instant claims.

**Online: Make a name for yourself on the net: As new countries get their internet domains, it opens up a whole new world for astute dealers in company titles. Richard Heller. The Guardian. Manchester (UK): Oct 26, 2000. pg. 12 ) fails to teach or suggest ” A sealed bid sales offering system comprising:**

a bid database in a network computer arrangement containing collected bids, said collected bids each having an associated seal status indication field for indicating whether each bid is a sealed bid or is an unsealed bid, a database query server querying said bid database for unsealed bids which match parameters of a Broker Profile Matrix associated with a trader console, said trader console comprising an intermediary third party user console communicably disposed between a

bidder user console and broker user console, said trader console operating to buy products or services from said broker user console, and operating to resell said bought products and services to said bidder user console;

a bid transferor responsive to finding matching unsealed bids for said trader console delivering said matching unsealed bids to said trader console, and preventing delivery of sealed bids to said trader console and a display on said trader console of said delivered matching unsealed bids to a trader console user “as recited in the instant claims.

### **Conclusion**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement Graham whose telephone number is 571-272-6795. The examiner can normally be reached on 7am to 5pm from 7:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CG

7/15/10

/Hani M. Kazimi/

Primary Examiner, Art Unit 3691

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1 - 12 (cancelled)

13. (currently amended) A sealed bid sales offering system comprising:  
a bid database in a network computer arrangement containing collected bids, [[said]] the  
collected bids each having an associated seal status indication field for indicating whether each bid is a  
sealed bid or is an unsealed bid;  
a database query server querying [[said]] the bid database for unsealed bids which match parameters of  
a Broker Profile Matrix associated with a trader console, [[said]] the trader console comprising an  
intermediary third party user console communicably disposed between a bidder user console and broker  
user console, [[said]] the trader console operating to buy products or services from [[said]] the broker user  
console, and operating to resell [[said]] the bought products and services to [[said]] the bidder user  
console;  
a bid transferor responsive to finding matching unsealed bids for [[said]] the trader console delivering  
[[said]] the matching unsealed bids to [[said]] the trader console, and preventing delivery of sealed bids to  
[[said]] the trader console; and  
a display on [[said]] the trader console of [[said]] the delivered matching unsealed bids to a  
trader console user.

14. (cancelled)

15. (currently amended) The sealed bid sales offering system as set forth in Claim 13 wherein [[said]] the  
database query server comprises an Internet server.

16. (currently amended) The sealed bid sales offering system as set forth in Claim 13 wherein [[said]] the  
database query server comprises a Hyper Text Transfer Protocol (HTTP) server.

17. (currently amended) The sealed bid sales offering system as set forth in Claim 13 wherein [[said]] the  
trader console comprises a web browser.

18. (currently amended) The system as set forth in Claim 13 wherein [[said]] the database query server  
retrieves unsealed bids from [[said]] the bid database which meet criteria including a trader's location  
code.

19. (currently amended) The system as set forth in Claim 13 wherein [[said]] the database query server  
retrieves unsealed bids from [[said]] the bid database which meet criteria including a match with a trader's  
goods category code.

20. (currently amended) The system as set forth in Claim 13 further comprising a restricted access  
administrator console communicative with [[said]] the bid database converting sealed bids to unsealed  
bids.

21. (currently amended) The system as set forth in Claim 13 further comprising a system clock or timer  
determining which seals of sealed bids have expired as a criteria for retrieving unsealed bids.

22. (currently amended) A sealed bid sales offering method comprising:  
providing collected bids in a bid database in a network computer arrangement, [[said]] the collected bids  
each having an associated seal status indication field for indicating whether each bid is a sealed bid or is

Art Unit: 3691

an unsealed bid;  
querying by a database query server [[said]] the bid database for unsealed bids which match parameters of a Broker Profile Matrix associated with a trader console, [[said]] the trader console comprising an intermediary third party user console communicably disposed between a bidder user console and broker user console;  
operating by [[said]] the trader console to buy products or services from [[said]] the broker user console;  
operating by [[said]] the trader to resell [[said]] the bought products and services to [[said]] the bidder user console;  
responsive to finding matching unsealed bids for [[said]] the trader console, delivering by a bid transferor [[said]] the matching unsealed bids to [[said]] the trader console wherein delivery of delivery of sealed bids to [[said]] the trader console is prevented; and displaying on [[said]] the trader console [[said]] the delivered matching unsealed bids to a trader console user.

23. (currently amended) The method as set forth in Claim 22 wherein [[said]] the querying comprises a Hyper Text Transfer Protocol (HTTP) query.

24. (currently amended) The method as set forth in Claim 22 further comprising providing a web browser trader console.

26. (currently amended) The method as set forth in Claim 22 wherein [[said]] the querying comprises retrieving unsealed bids from [[said]] the bid database which meet criteria including a match with a trader's goods category code.

27. (currently amended) The method as set forth in Claim 22 further comprising providing a restricted access administrator console communicative with [[said]] the bid database, and converting sealed bids to unsealed bids by [[said]] the administrator console.

28. (currently amended) The method as set forth in Claim 22 further comprising using a system clock or timer to determine which seals of sealed bids have expired as a criteria for retrieving unsealed bids.

29. (currently amended) A computer readable memory comprising: a computer readable memory suitable for encoding computer programs; and one or more computer programs encoded by [[said]] the computer readable memory and configured to:

provide collected bids in a bid database in a network computer arrangement, [[said]] the collected bids each having an associated seal status indication field for indicating whether each bid is a sealed bid or is an unsealed bid;  
query by a database query server [[said]] the bid database for unsealed bids which match parameters of a Broker Profile Matrix associated with a trader console, [[said]] the trader console comprising an intermediary third party user console  
communicably disposed between a bidder user console and broker user console; operate by [[said]] the trader console to buy products or services from [[said]] the broker user console;  
operating by [[said]] the trader to resell [[said]] the bought products and services to [[said]] the bidder user console;  
responsive to finding matching unsealed bids for [[said]] the trader console, deliver by a bid transferor [[said]] the matching unsealed bids to [[said]] the trader console wherein delivery of delivery of sealed bids to [[said]] the trader console is prevented; and  
display on [[said]] the trader console [[said]] the delivered matching unsealed bids to a trader console user.

30. (currently amended) The computer readable memory as set forth in Claim 29 wherein [[said]] the querying comprises retrieving unsealed bids from [[said]] the bid database which meet criteria including a trader's location code.

31. (currently amended) The computer readable memory as set forth in Claim 29 wherein [[said]] the querying comprises retrieving unsealed bids from [[said]] the bid database which meet criteria including a match with a trader's goods category code.